

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Michael J. Kimble,)	C/A No.: 1:10-2623-JFA
)	
Plaintiff,)	
v.)	ORDER
)	
Michael J. Astrue,)	
Commissioner of Social Security,)	
)	
Defendant.)	
_____)	


This matter is before the court upon motion of the plaintiff for attorney's fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. The Commissioner has responded noting that he does not oppose an award of attorney fees, provided that the fees are awarded directly to plaintiff, not counsel. The Commissioner agrees to pay the plaintiff \$4,566.20 (which represents 23.75 attorney hours at \$177.50 per hour and 3.95 paralegal hours at \$88.75 per hour).

Upon review of the material submitted to the court, the plaintiff's motion for attorney fees (ECF No. 34) is granted.

Payment of the fees and expenses noted herein shall constitute a complete release from and bar to any and all claims plaintiff may have relating to EAJA fees in connection with this action. This award is without prejudice to the right of plaintiff to seek attorney's fees under Section 206(b) of the Social Security Act, subject to the offset provisions of the EAJA. Further, the award of fees shall be made payable to the plaintiff. *See Astrue v. Ratliff*, 120 S. Ct. 2521, 2524 (2010).

IT IS SO ORDERED.

December 8, 2011
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge